

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SITO MOBILE R&D IP, SITO MOBILE,
LTD.,

Plaintiffs

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6-20-CV-00472-ADA

-vs-

HULU, LLC,

Defendant

CLAIM CONSTRUCTION ORDER

The parties requested the Court to construe claim terms of U.S. Patent Nos. 8,825,887 (“887 patent); 9,026,673 (“673 patent”); 9,135,635 (“635 patent”); 9,135,636 (“636 patent”); 9,591,360 (“360 patent”); 10,009,637 (“637 patent”) and 10,171,846 (“846 patent”).

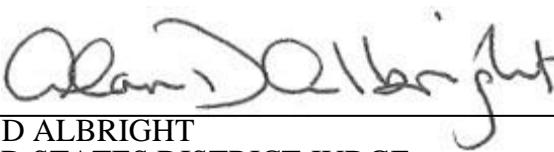
The Court provided preliminary constructions on March 19, 2021 and held a claim construction hearing on March 21, 2021, during which the Court heard arguments on the following claim terms: (1) “request for media”; and (2) “play script.”

After careful consideration of the parties’ briefs, oral argument, and the applicable law, the Court enters its final constructions for each term as shown below:

Claim Term	Plaintiff’s Proposed Construction	Defendant’s Proposed Construction	Court’s Preliminary Construction
“request for media” ’887 patent, claims 39, 45, 68, 98, 99, 115 ’673 patent, claim 1 ’635 patent, claim 1 ’636 patent, claims 1, 34, 47	Plain and ordinary meaning	a request to provide a particular audio, video, or other data, such as a particular television show or movie	request for a particular media, not a channel

“settlement record” / “settlement ’887 patent, claims 39, 45, 68, 98 ’637 patent, claim 7 ’846 patent, claim 7	event record to be used for revenue settlement	billable event record to be used for revenue settlement	billable event record to be used for revenue settlement
“play script” ’673 patent, claim 1 ’635 patent, claim 1 ’636 patent, claims 1, 34	a file containing one or more media references and other information used by a communication device to obtain media	a list customized for the communication device containing one or more media references and instructions executable by the communication device	a file containing one or more media references and other information used by a communication device to obtain media
“reservation identification” ’673 patent, claim 1 ’636 patent, claims 1, 34 ’360 patent, claim 16	Plain and ordinary meaning Identification of a reservation	a designator uniquely identifying a reservation (as that term is construed)	Plain and ordinary meaning
“reservation” ’673 patent, claim 3	arrangement regarding reserved resources of a streaming system	a set of instructions uniquely identifying the communication device and the play script, and reserving system resources for streaming the requested media	Plain and ordinary meaning
“media clip[s]” / “advertising media clip[s]” ’635 patent, claim 18 ’636 patent, claim 2 / ’635 patent, claim 1, 2, 3, 11 ’636 patent, claim 11 ’846 patent, claims 1, 2, 7, 8	Plain and ordinary meaning / Plain and ordinary meaning	complete media item[s], such as a complete movie or advertisement / a complete advertisement[s]	Plain and ordinary meaning / Plain and ordinary meaning

SIGNED this 25th day of March, 2021.


 ALAN D ALBRIGHT
 UNITED STATES DISTRICT JUDGE